



House of Representatives

General Assembly

File No. 216

February Session, 2012

House Bill No. 5286

House of Representatives, April 2, 2012

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE RETURN OF STOLEN PROPERTY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (b) of section 54-36a of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2012*):

4 (b) (1) Whenever property is seized in connection with a criminal
5 arrest or seized pursuant to a search warrant without an arrest, the law
6 enforcement agency seizing such property shall file, on forms
7 provided for this purpose by the Office of the Chief Court
8 Administrator, an inventory of the property seized. The inventory,
9 together with the uniform arrest report, in the case of an arrest, shall be
10 filed with the clerk of the court for the geographical area in which the
11 criminal offense is alleged to have been committed; except, when the
12 property is stolen property and, in the opinion of the law enforcement
13 officer, does not exceed [two hundred fifty] five hundred dollars in
14 value, or when an attempt was made to steal the property but the
15 property at all times remained on the premises in a sealed container,

16 the filing of an inventory shall not be required and such property may
17 be returned to the owner. In the case of property seized in connection
18 with a search warrant without an arrest, the inventory shall be
19 attached to the warrant and shall be filed with the clerk of the court for
20 the geographical area in which the search warrant was issued. If any
21 criminal proceeding is transferred to another court location, then the
22 clerk with whom the inventory is filed shall transfer such inventory to
23 the clerk of the court location to which such action is transferred.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2012</i>	54-36a(b)(1)
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JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no state or municipal fiscal impact associated with increasing the property value threshold for retaining stolen property from \$250 to \$500. Because the volume of stolen property retained by law enforcement agencies is minimal, the bill is not anticipated to yield savings.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5286*****AN ACT CONCERNING THE RETURN OF STOLEN PROPERTY.*****SUMMARY:**

Under current law, if a law enforcement officer estimates that stolen property seized pursuant to an arrest has a value of \$250 or less, the law enforcement agency is not required to file an inventory of the property with the court clerk and may return the property to its owner. This bill increases this threshold to \$500.

The law establishes a procedure for owners to request the return of stolen property with a value above this threshold (CGS § 54-36a).

EFFECTIVE DATE: October 1, 2012

BACKGROUND***Related Bill***

SB 195 (File 32), favorably reported by the Public Safety and Security Committee, increases the threshold described above to \$1,000.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 42 Nay 0 (03/21/2012)